

JOE WARDY
MAYOR

JOYCE WILSON
CITY MANAGER



CITY COUNCIL

SUSAN AUSTIN
DISTRICT NO. 1

ROBERT A. CUSHING, JR.
DISTRICT NO. 2

JOSE ALEXANDRO LOZANO
DISTRICT NO. 3

JOHN F. COOK
DISTRICT NO. 4

PRESI ORTEGA, JR.
DISTRICT NO. 5

PAUL J. ESCOBAR
DISTRICT NO. 6

VIVIAN ROJAS
DISTRICT NO. 7

ANTHONY W. COBOS
DISTRICT NO. 8

PROPOSED AGENDA FOR REGULAR COUNCIL MEETING, COUNCIL CHAMBERS MARCH 8, 2005 9:00 A.M.

ROLL CALL

Invocation – Fire Chaplain Ed Sinke
Pledge of Allegiance

REGULAR AGENDA

DONATION

1. Discussion and action on a Resolution that the Mayor be authorized to execute a donation agreement between the City of El Paso, the El Paso Museum of Art Foundation and L. Frederick Francis regarding the gift from L. Frederick Francis to the Art Museum totaling \$150,000 in honor of Mr. Francis' father, Larry Francis, and his wife, Ginger Francis. [El Paso Museum of Art, Becky Duval-Reese, (915) 532-1707]

NOTICE TO THE PUBLIC

All matters listed under the CONSENT AGENDA, including those on the Addition to the Agenda, will be considered by City Council to be routine and will be enacted by one motion unless separate discussion is requested by Council Members or persons in the audience. When the vote has been taken, if an item has not been called out for separate discussion, the item has been approved. Council may, however, reconsider any item at any time during the meeting.

CONSENT AGENDA

2. **APPROVAL OF MINUTES:** [Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

Approval of Minutes for Regular City Council Meeting of March 1, 2005 and Special City Council Meeting of February 17, 2005 (Joint Meeting with Las Cruces City Council).
Special City Council Meeting Minutes of February 17, 2005 POSTPONED FROM 03/01/05

3. **REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:**

4. RESOLUTIONS:

4A. That the Mayor be authorized to sign Supplemental Lease Agreement No. 1 to Lease No. GS-07B-15258 by and between the City of El Paso ("Lessor") and the United States of America ("Lessee") for additional office space for the Transportation Security Administration (TSA) in the El Paso International Airport terminal building and extending the original lease an additional five (5) years. **(District 3)** [Airport, Patrick T. Abeln, (915) 780-4724]

4B. That the Director of Aviation be authorized to establish an aircraft rehabilitation area for the temporary storage of two (2) aircraft previously classified as "dead storage" and to establish regulations for the use of the area. The fee for use of the area shall be \$1,000.00 per month and the use shall be limited to a total of 180 days per aircraft. **(District 3)** [Airport, Patrick T. Abeln, (915) 780-4724]

4C. That the Annual Action Plan (2004-2005) of the Consolidated Plan for 2000-2005 be amended by adding the following eight activities to the 30th Year (2004-2005) Community Development Block Grant Program:

1. Downtown Master Plan - \$50,000 **(District 8)**
2. Audible Pedestrian Signal Installation Priority II and III - \$425,000 **(All Districts)**
3. Citywide ADA Compliance - \$35,500 **(Districts 2, 3, 6, 7 and 8)**
4. Fire Station No. 11 Emergency Traffic Priority Control System - \$59,868 **(District 8)**
5. Central Fire Station Fire Truck Replacement - \$396,699 **(District 8)**
6. Fire Station No. 17 Fire Truck Replacement - \$396,699 **(District 7)**
7. Carolina Recreation Center Parking Lot Expansion - \$69,841 **(District 3)**
8. Hidden Valley Park Jogging Path - \$50,449 **(District 3)**

and that an additional \$200,000 be added to the Citywide Curb Cut Demand Program (Account No. G7129CD0038, an existing 30th Year (2004-2005) project, increasing the budget from \$177,287 to \$377,287 (All Districts);

and that the funds for the Downtown Master Plan project be transferred from the 30th Year Administration Account No. G7130CD0002, and the funds for the remaining seven new activities and one budget transfer be transferred from the 30th Year Community Development Contingency Account No. G7129CD0001;

and that the Mayor, or the City Manager or designee, if otherwise authorized by City Council, be authorized to sign any agreements or related documents which might be necessary to accomplish such purposes, upon approval of the City Attorney's Office and the Director of Community and Human Development.

(All Districts) [Community and Human Development, Robert Salinas, (915) 541-4643]

4D. That the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of Seven Thousand Five Hundred Fifty And No/100 Dollars (\$7,550.00, Grant Note – \$4,440.00, Loan Note - \$3,110.00), against the following described real property:

Lot 4, Block 2, Valley Fair Addition, an addition to the City of El Paso, El Paso County, Texas, according to the map thereof on file in Book 35, Page 13, Plat Records of El Paso County, Texas, known as 311 Valley Fair.

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City; and that the City Comptroller issue a refund check resulting from an overpayment on the loan for the amount of Fifty Six and 04/100 Dollars (\$56.04). Funds are available in the CD Housing Rehab Dept ID: 71150039, Grant: 710RLFCDAH, Fund: 09903, Financial Location: 71000, Account: 138000
(District 7) [Community and Human Development, Charles Ruiz, (915) 541-4221]

- 4E.** That the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of Five Thousand Fifty And No/100 Dollars (\$5,050.00, Grant Note – \$660.00, Loan Note - \$4,390.00), against the following described real property:

Lot 19, Block 26, Eastwood (Unit 6), an addition to the City of El Paso, El Paso County, Texas, according to the map thereof on file in Book 24, Page 20, Plat Records of El Paso County, Texas, known as 10220 Garwood Ct.

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City; and that the City Comptroller issue a refund check resulting from an overpayment on the loan for the amount of One Hundred Seventy Nine and 53/100 Dollars (\$179.53).

Funds are available in the CD Housing Rehab Dept ID: 71150039, Grant: 710RLFCDAH, Fund: 09903, Financial Location: 71000, Account: 138000

(District 7) [Community and Human Development, Charles Ruiz, (915) 541-4221]

- 4F.** That the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of Ten Thousand Four Hundred Fifty And No/100 Dollars (\$10,450.00, Grant Note – \$825.00, Loan Note - \$9,625.00), against the following described real property:

Lot 31, Block 1, Replat Of Imperial Valley Unit 2, an addition to the City of El Paso, El Paso County, Texas, according to the map thereof on file in Book 30, Page 24, Plat Records of El Paso County, Texas, known as 8659 Akron

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City; and that the City Comptroller issue a refund check resulting from an overpayment on the loan for the amount of Five Hundred Sixty One and 98/100 Dollars (\$561.98).

Funds are available in the CD Housing Rehab Dept ID: 71150039, Grant: 710RLFCDAH, Fund: 09903, Financial Location: 71000, Account: 138000

(District 7) [Community and Human Development, Charles Ruiz, (915) 541-4221]

- 4G.** That the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of Seven Thousand Four Hundred Fifty And No/100 Dollars (\$7,450.00, Grant Note – \$4,065.00, Loan Note - \$3,385.00), against the following described real property:

Lot 1, Block 5, Tejas Addition First Section, an addition to the City of El Paso, El Paso County, Texas, according to the map thereof on file in Book 1, Page 23, Plat Records of El Paso County, Texas, known as 924 N. Clark

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City; and that the City Comptroller issue a refund check resulting from an overpayment on the loan for the amount of One Hundred Sixty Nine and 20/100 Dollars (\$169.20).

Funds are available in the CD Housing Rehab Dept ID: 71150039, Grant: 710RLFCDAH, Fund: 09903, Financial Location: 71000, Account: 138000

(District 3) [Community and Human Development, Charles Ruiz, (915) 541-4221]

- 4H.** That the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of Three Thousand Nine Hundred Fifty And No/100 Dollars (\$3,950.00, Grant Note – \$865.00, Loan Note - \$3,085.00), against the following described real property:

Lot 2, Park View Addition, an addition to the City of El Paso, El Paso County, Texas, according to the plat thereof on file in Book 7, Page 7, Plat Records, El Paso County, Texas, known as 6440 Shirley

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City; and that the City Comptroller issue a refund check resulting from an overpayment on the loan for the amount of Twelve and 95/100 Dollars (\$12.95).

Funds are available in the CD Housing Rehab Dept ID: 71150039, Grant: 710RLFCDAH, Fund: 09903, Financial Location: 71000, Account: 138000

(District 3) [Community and Human Development, Charles Ruiz, (915) 541-4221]

- 4I.** That the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of Seven Thousand Eight Hundred And No/100 Dollars (\$7,800.00, Grant Note – \$4,293.00, Loan Note - \$3,507.00), against the following described real property:

Lot 10, Block 5, Pleasant Valley, an addition to the City of El Paso, El Paso County, Texas, according to plat thereof recorded in Volume 35, Page 14, Plat Records El Paso County, Texas, known as 8221 Rancho Verde Way

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City. **(District 7)**

[Community and Human Development, Charles Ruiz, (915) 541-4221]

- 4J.** That the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of Two Thousand Seven Hundred Twenty Six And 62/100 Dollars (Loan Note - \$2,726.62), against the following described real property:

Lot 10, Block 5, Pleasant Valley, an addition to the City of El Paso, El Paso County, Texas, according to plat thereof recorded in Volume 35, Page 14, Plat Records El Paso County, Texas, known as 8221 Rancho Verde Way

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City; and that the City Comptroller issue a refund check resulting from an overpayment on the loan for the amount of One Hundred Sixty Seven and 82/100 Dollars (\$167.82).

Funds are available in the CD Housing Rehab Dept ID: 71150039, Grant: 710RLFCDAH, Fund: 09903, Financial Location: 71000, Account: 138000

(District 7) [Community and Human Development, Charles Ruiz, (915) 541-4221]

- 4K.** That the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of Seventeen Thousand Three Hundred Fifty And No/100 Dollars (\$17,350.00, Grant Note – \$9,112.00, Loan Note - \$8,238.00), against the following described real property:

Lots 8, 9, 10, and 11, Block 64, Morningside Heights Addition, an addition to the City of El Paso, El Paso County, Texas, according to the map thereof on file in Volume 3, Page 52, Plat Records of El Paso County, Texas, known as 3325 Tyler

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City; and that the City Comptroller issue a refund check resulting from an overpayment on the loan for the amount of Seven Hundred Ninety One and 26/100 Dollars (\$791.26).

Funds are available in the CD Housing Rehab Dept ID: 71150039, Grant: 710RLFCDAH, Fund: 09903, Financial Location: 71000, Account: 138000

(District 2) [Community and Human Development, Charles Ruiz, (915) 541-4221]

- 4L.** That the Mayor be authorized to sign a Contract between the CITY OF EL PASO and LARRY E. ROMERO, to assist the Economic Development Department as a Business Retention and Expansion Manager, at a biweekly rate of \$2,115.38, for 40 hours per week. The term of the contract shall be for the period of March 14, 2005 through March 13, 2006. This contract is subject to the concurrence of the Civil Service Commission. [Economic Development, David G. Dobson, (915) 541-4680]

- 4M.** Authorizing the Mayor to execute the Mayor's Certificate and the General Certificate of the City of El Paso in connection with the El Paso Housing Finance Corporation Variable Rate Demand Multifamily Housing Revenue Refunding Bonds (Arbor Vista Apartments) Series 2005.

[El Paso Housing Finance Corporation, Jerry Kurtyka, (915) 541-4845]

- 4N.** That the Mayor, via the Chief of Police, be authorized to submit a grant application to the Department of Health and Human Services for a five-year grant in the amount of \$500,000 (\$100,000 per year for five years), for a Drug Free Youth Program to continue efforts in reducing substance abuse among the youth of El Paso through increased law enforcement, community/public education awareness and through coalition work with community agencies; that the Mayor be authorized to sign any related paperwork, including all understandings and assurances contained therein, and apply for, accept, reject, alter, or terminate the grant, authorize budget transfers and submit any necessary revisions to the operational plan; that the grant officials be as designated in the agreement; and

that the Mayor be authorized to execute on behalf of the City of El Paso, any grant amendments or corrections to the initial Grant Agreement which increase, decrease or de-obligate program funds provided that no additional City funds are required, or which decrease the amount of matching funds, and any documents to request and accept an extension of the award ending date for the grant. A cash match is required in the amount of \$500,000 (\$100,000 per year for five years) from Confiscated Funds account number 21150060-500231-16371.

[Police Department, Assistant Chief Paul Cross, (915) 564-7310]

- 40.** That the Mayor be authorized to execute the Second Amended Donation Agreement between the City of El Paso, on behalf of the Parks and Recreation Department, and Parents Association for Recreation for Kids Inc., regarding the donation of a walking path around the perimeter of the White Spur Park, which will be utilized at White Spur Park. The value of the walking path is estimated to be \$25,000. **(District 8)** [Mayor Pro-Tem Anthony W. Cobos, (915) 541-4123]

- 5.** Request to fill position on a temporary basis in accordance with Article VI, Section 6.6-3, of the Civil Service Charter Provisions:

Coach Operator Trainee (20)

Fund Source: 60600003-40345-323100

[Mass Transit, Terry Lee Scott, (915) 534-5810]

- 6.** Request for provisional appointment in accordance with Article VI, Section 6.6-2, of the Civil Service Charter Provisions:

Administrative Assistant (1)

Fund Source: 51010214-01101

[Parks & Recreation, Norman Merrifield, (915) 541-4331]

7. STAFFING TABLE CHANGES:

7A. Community and Human Development

Delete	1.00	Secretary III	GS 19
Add	1.00	Secretary II	GS 16

Fund Source: 71150047-10039-71000-G7130CD0002 (75%)

Fund Source: 71150005-05176-71000 (12.50%)

Fund Source: 71150005-05172-71000 (12.50%)

[Community and Human Development, Robert Salinas, (915) 541-4643]

7B. Metropolitan Planning Organization

Delete	1.00	Accountant III	PM 79
Add	1.00	Accountant I	PM 72

Fund Source: 68150009-05024-68000-G780503

[Metropolitan Planning Organization, Roy Gilyard, (915) 591-9735]

7C. Parks & Recreation

Add	.50	Recreation Leader II	R 3
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Fund Source: 51510076-16338-51063

Add	.11	Recreation Leader III	R 4
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Add .29 Recreation Leader II R 3
Fund Source: 51510076-16339-51064
[Parks & Recreation, Norman Merrifield, (915) 541-4331]

8. Removal of Chester Jordan from the Building and Zoning Advisory Committee by Representative Jose Alexandro Lozano, District 3.
[Representative Jose Alexandro Lozano, (915) 541-4515]

9. BOARD RE-APPOINTMENTS:

- 9A. Maria A. Natividad to the Arts and Culture Advisory Board by Representative Robert A. Cushing, Jr., District 2. [Representative Robert A. Cushing, Jr., (915) 541-4996]
- 9B. Jody Todd to the El Paso Mountain Committee by Representative Robert A. Cushing, Jr., District 2. [Representative Robert A. Cushing, Jr., (915) 541-4996]
- 9C. Carole A. Hunter to the Art Museum Advisory Board by Representative John F. Cook, District 4. [Representative John F. Cook, (915) 541-4140]
- 9D. Ramon E. Lara to the Art Museum Advisory Board by Representative John F. Cook. [Representative John F. Cook, (915) 541-4140]
- 9E. Edmundo Rueda to the Public Utility Regulation Board by Representative Paul J. Escobar, District 6. [Representative Paul J. Escobar, (915) 541-4182]

10. BOARD APPOINTMENTS:

- 10A. Eduardo Honold to the Workforce Retraining Advisory Committee by Mayor Joe Wardy. [Mayor's Office, Adrian Ocegueda, (915) 541-4145]
- 10B. Daniel De La Haye to the Historic Landmark Commission by Representative Robert A. Cushing, Jr., District 2. [Representative Robert A. Cushing, Jr., (915) 541-4416]
- 10C. Raymond Bader to the Tree Board by Representative Robert A. Cushing, Jr., District 2. [Representative Robert A. Cushing, Jr., (915) 541-4416]
- 10D. Cherilyn Dorsey to the Bond Overview Advisory Committee by Representative Robert A. Cushing, Jr., District 2. [Representative Robert A. Cushing, Jr., (915) 541-4416]
- 10E. Esther V. Hughes to the Twelve Travelers Review Committee by Representative John F. Cook, District 4. [Representative John F. Cook, (915) 541-4140]
- 10F. Henry Stokes to the Parks & Recreation Advisory Board by Representative John F. Cook, District 4. [Representative John F. Cook, (915) 541-4140]
- 10G. Pete T. Duarte to the Workforce Retraining Advisory Committee by Representative Presi Ortega, Jr., District 5.
[Representative Presi Ortega, Jr., (915) 541-4189]

11. DISCRETIONARY FUNDS:

- 11A.** Authorization to use District 3 Discretionary Funds to purchase 150 chairs from Sam's Club, estimated at \$3,000, for the Happiness Senior Center.

Dept ID #01010003, Account #504420, Class #01001, Fund #01101

[Representative Jose Alexandro Lozano, (915) 541-4515]

- 11B.** Authorization to use District 3 Discretionary Funds to fund the installment of two temporary speed bumps, estimated at \$2,300 for two 8-piece units; one set to be installed at end of the 9100 block of Cosmos, and the second set in the vicinity of 7356 Franklin Road; and to instruct the City Manager to direct the appropriate staff to proceed under the new Traffic Management Guidelines to have these speed bumps placed within the next 30 days to address the concerns brought up by constituents regarding traffic and pedestrian safety.

Dept ID #01010003, Account #504420, Class #01001, Fund #01101

[Representative Jose Alexandro Lozano, (915) 541-4515]

12. RESIDENTIAL STREET LIGHT(S): Approve installation, power, and maintenance of residential street light(s) at the following location(s):

- 12A.** Between 2512 and 2526 Nashville Cost: \$ 963.00

Dept. I.D. 01010002, Acct. 504420; Fund #01101; Class #01001

(District 2) [Representative Robert A. Cushing, Jr., (915) 541-4416]

- 12B.** Polk and Elm by Bassett School Cost: \$1,398.00

Dept. I.D. 01010002, Acct. 504420; Fund #01101; Class #01001

(District 2) [Representative Robert A. Cushing, Jr., (915) 541-4416]

- 12C.** Behind alley between 2909 and 2905 Copper Cost: \$ 464.00

Dept. I.D. 01010002, Acct. 504420; Fund #01101; Class #01001

(District 2) [Representative Robert A. Cushing, Jr., (915) 541-4416]

- 12D.** Behind alley between 2907 and 2911 Nations Cost: \$ 464.00

Dept. I.D. 01010002, Acct. 504420; Fund #01101; Class #01001

(District 2) [Representative Robert A. Cushing, Jr., (915) 541-4416]

- 12E.** (3) street lights on Pollard alongside the Pollard Veteran's Memorial Park

Cost: \$ 1,392.00 @ \$464.00 each

Dept. I.D. 01010002, Acct. 504420; Fund #01101; Class #01001

(District 2) [Representative Robert A. Cushing, Jr., (915) 541-4416]

13. Request that the Director of Purchasing be authorized to issue a Purchase Order to Advanced Public Safety. Advanced Public Safety is the provider of Virtual Partner Software, which was created to increase officer safety and productivity. The City of El Paso has existing hardware and software that would be improved by this software application. Virtual Partner is a proprietary software application developed and offered exclusively by Advanced Public Safety and is patented by the U.S. Patent & Trademark Office, U.S. No. 6,621,422. Total Amount \$119,988.96.

Additional, it is requested authorization for City staff to negotiate, City Attorney's Office to review, and the City Manager or the Mayor be authorized to execute any related contract documents and agreements necessary during the contract.

Award amount: \$119,988.96
 Funds available in: 04200401-29209-508007 Project PMB0005009
 Funding Source: 2004 Capital Acquisitions, Public Safety Equipment
 Department: Public Safety Technology
 [Purchasing Department, Ray Heredia, (915) 541-4316]

- 14.** Request that the Director of Purchasing be authorized to exercise the City's option to extend the term of the agreement for one (1) additional year, from May 1, 2005, through April 30, 2006, pursuant to the provisions of contract 2002-121, Security Guard Services for Municipal Court, with Mike Garcia Merchant Security, Inc., El Paso, Texas.

OPTION: ONE [OF ONE]
 ACCOUNT NO.: 11150051-15438-502212
 FUNDING SOURCE: Municipal Clerk, Security Contracts
 AMOUNT: \$241,520.02 Estimated Annually
 DEPARTMENT: Municipal Court
 [Purchasing Department, Ray Heredia, (915) 541-4316]

- 15.** Request that the Director of Purchasing be authorized to exercise the City's option to extend the term of the agreement for one (1) additional year, from June 23, 2005, through June 22, 2006, pursuant to the provisions of contract 2002-150 Janitorial Services Westside Regional Command Center, with The Eagle Janitorial Services, El Paso, Texas.

OPTION NO.: ONE [OF ONE]
 AMOUNT OF AWARD: \$42,936.00 Annual
 ACCOUNT NO.: 31010326-01101-502206
 FUNDING SOURCE: Operating Funds – Janitorial Maintenance Service Contract
 DEPARTMENT: Fleet Services, Municipal Services, Maintenance
 [Purchasing Department, Ray Heredia, (915) 541-4316]

16. BEST VALUE PROCUREMENT:

This contract shall be awarded to the bidder who provides the best value to the City. The City may consider price and other relevant criteria listed in the request for bids.

Solicitation No.: 2005-074 City Hall 9th Floor Renovation
 Contractor: Jan-Car, Inc.
 Horizon City, Texas

Department: Building and Planning Services
 Funds Available: PPWFA03009-31260001-60615-508027, \$24,586.40
 FY03 Certificates of Obligation
 PPWFA03009-31118111-27035-508027, \$49,421.98
 1993 Certificates of Obligation
 PPWFA03009-31134000-27101, 27102 & 27105-
 508027, \$40,529.33
 1997A Certificates of Obligation
 PPWFA03009-31250102-27178-508027, \$106,161.35
 2000 Certificates of Obligation
 PPWFA03009-31250102-27179-508027, \$15,929.94
 2000 Certificates of Obligation
 Items: Base Bid II \$236,629.00

Total Award: \$236,629.00
District (s): 8

The Departments of Engineering and Building and Planning Services recommend the award of this contract to Jan-Car, Inc., as this Offeror has provided the Best Value Proposal. It is requested that the Mayor of the City of El Paso be authorized to sign the referenced contract. Additionally, it is requested that the City Manager and Staff be authorized to execute budget transfers for this award and project, as necessary.

As part of the award of this contract, the City Engineer is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 25% of the original contract price as awarded, without further authorization by City Council.

The work is to take place inside the 9th floor of City Hall, located at Two Civic Center Plaza, El Paso, Texas. This project will provide for furnishing and complete installation of an automated file system for the City Attorney's office. Additionally, 2 renovated offices for City Attorney's Department, space for the City Manager's Department and the Deputy City Manager's offices will be renovated. The total area renovated, not inclusive of the filing system space, is 8,548 sq ft at a per sq. ft cost of \$20.64.

The work consists of interior demolition work including removal of carpet.

Work includes, but is not limited to sealants, doors and frames, hardware, glazing, partitions, finishes, vinyl composition tile, paint, ceilings, etc., window blinds, operable metal storage system, HVAC, plumbing, electrical power, lighting, and special systems. Contractor shall provide conduit for voice and data system. Contractor will not provide cabling for voice and data system.

Work includes, but is not limited to sealants, doors and frames, hardware, glazing, partitions, shelving, kitchen cabinets, finishes – paint and ceilings, HVAC, plumbing, electrical power and lighting. Contractor shall provide conduit for voice and data system. Contractor will not provide cabling for voice and data system. Contractor will not provide carpet and cove base.

The City Manager and staff will be relocating to the 9th floor. This will allow for future 10th floor reconfiguration to create a central reception area for visitors to 10th floor offices, additional conference room meeting spaces for City Council and staff other improvements and efficiencies in telephone and support services.

[Purchasing Department, Byron Johnson, (915) 541-4308] POSTPONED FROM 02/22/05

17. BIDS:

If apparent low bidder is disqualified for any reason, City Council reserves the right to exercise any option legally available under the law by awarding bid to next lowest responsive and responsible bidder even though the bidder is not named on this agenda.

17A. Solicitation No.: 2005-087 Articulated Truck
Award to: Sierra Machinery
 El Paso, TX

Item:	Alternate Bid	
Item 2A-1	Articulated Truck 30 Ton Capacity	
	2 each @ \$288,900.00	\$577,800.00
Item 2A-2	5 Year Repair Expenses	
	2 each @ \$41,390.00	+ 82,780.00 (Not to Exceed)
Total Recommended Award		\$660,580.00
Item 2A-3	Guaranteed Repurchase Price	
	2 each @ 107,900.00	- 215,800.00
		\$444,780.00
	Less Trade-In Allowance (Items 1 thru 7)	- 340,000.00
	Net Cost	\$104,780.00

Department:	Solid Waste Management
Funds available:	40415-508006-34340200 (\$577,800.00)
	40403-502300-34010296 (\$82,780.00)
Funding source:	FY2004 Solid Waste Management Revenue Bonds
	FY2005 Solid Waste Management Operating Funds
Total award:	\$660,580.00
District (s):	All

The Fleet Services, Solid Waste Management and Purchasing Departments recommend award as indicated to the lowest responsive offer, by definition meeting specifications, from responsible parties.

This is a fixed-price, single (one-time) purchase, to purchase two (2) 30 Ton Capacity Articulated Trucks. There is an option to purchase up to one hundred percent (100%) of the original contract quantities, at the same unit price, if the option is exercised within one hundred eighty (180) days from the date of award of the contract. No prompt payment discount is offered.

It is requested that the Mayor and Staff be authorized to execute budget transfers for this purchase, as necessary.

[Purchasing Department, Alfonso Guerrero, Jr., (915) 541-4654]

17B. Solicitation No.: 2005-089 Steering Components & Related Products
Award to: Vendor 1: Main Auto Parts
 El Paso, Texas
Item(s): Group I, Light Duty Vehicle Parts
Amount: \$20,000.00 (estimated annually)

Award to: Vendor 2: G.O.T. Supply, Inc.
 El Paso, Texas
 Item(s): Group II, Heavy Duty Vehicle Parts
 Amount: \$20,000.00 (estimated annually)

The Fleet Service and Purchasing Departments recommend awards as indicated to the lowest responsive offer meeting specifications, from responsible parties.

Vendor #1 offers the City the option to extend the term of the contract at the same unit prices for one (1) additional year if the option is exercised within two (2) years from the date of the award.

Vendor also offers the City a prompt payment discount of 2% 20 days.

Vendor #2 offers the City the option to extend the term of the contract at the same unit prices for one (1) additional year if the option is exercised within one (1) year from the date of the award.

This is a Requirements Type Contract with an initial term of Thirty-Six (36) months.

Department: Fleet Service
 Funds available: 37370510-503121-45202
 Funding source: Fleet Service Internal Service Fund
 Total award: \$120,000.00

District (s): 3 and 5
 [Purchasing Department, Jesus M. Juarez, (915) 541-4317]

17C. Solicitation No.: 2005-075 Montwood Heights Park Improvements
 Contractor: Matyear Construction Company, Inc.
 El Paso, Texas

Department: Parks & Recreation
 Funds Available: 14101001-PQLPA132-60132-508027
 Funding Source: 2000 Quality of Life Bond
 Items: Base Bid \$268,375.00
 Alternate No. 1 \$ 75,289.00
 Total Award: \$343,664.00

District (s): 6

RECOMMENDATION:

The Departments of Parks & Recreation, and P-Plus 3 D/I, Program Manager recommend the award of this contract to Matyear Construction Company, Inc., the low responsible, responsive bidder. It is requested that the Mayor of the City of El Paso be authorized to sign the referenced contract. Additionally, it is requested that the City Manager and Staff be authorized to execute budget transfers for this award and project, as necessary.

As part of the award of this contract, the City Engineer is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 25% of the original contract price as awarded, without further authorization by City Council.

[Purchasing Department, Barbara Crumley, (915) 541-4315]

18. BUDGET TRANSFERS: [Office of Management and Budget, David Almonte, (915) 541-4011]

18A. BT2005-662 MUSEUM (ART)

To appropriate funds from the Tom Lea Endowment Fund - for the conservation of paintings, the reproduction of picture frames, and the purchase of works of Art.

Increase	\$10,000.00	to	54153017/15456/407002	Est Rev
Increase	\$10,000.00	to	54153017/15456/502215	OutsideCnt

18B. BT2005-678 LIBRARY

The Library would like to increase the allocations under Data Processing Equipment under the E-rate Fund. Funds for this increase were deposited on 1/28/05.

Increase	\$1,725.36	to	53153054/G53041107025/406001	EstStRev
Increase	\$1,725.36	to	53153054/G53041107025/508010	DatProcEq

18C. BT2005-700 COMMUNITY AND HUMAN DEVELOPMENT

This budget transfer will increase the budget for the El Paso Rehabilitation Center (1101 E. Schuster) project, which has been converted from a non-profit forgivable loan to a City project since the City owns the property.

Decrease	\$121,680.00	from	71150069/G7129CD000107747/508027	Construction
Increase	\$ 18,335.00	to	71150069/G7130CD000607788/508016	Arch & Eng
Increase	\$ 88,213.00	to	71150069/G7130CD000607788/508027	Construction
Increase	\$ 10,088.00	to	71150069/G7130CD000607788/508021	City Eng
Increase	\$ 5,044.00	to	71150069/G7130CD000607788/508024	Testing
Decrease	\$121,680.00	from	71150069/G7129CD000107747/406000	FedGrtProc
Increase	\$121,680.00	to	71150069/G7130CD000607788/406000	FedGrtProc

18D. BT2005-729 COMMUNITY AND HUMAN DEVELOPMENT

The transfer from the Community Development Contingency Fund will establish a mid-year fund for Dorbandt Circle Street and Drainage project a 30th Year (2004-2005) Community Development project.

Decrease	\$130,680.00	from	71150069/G7129CD000107747/508027	Construction
Increase	\$130,680.00	to	71150069/G7130CD002307805/508000	Land Acq
Decrease	\$130,680.00	from	71150069/G7129CD000107747/406000	FedGrtProc
Increase	\$130,680.00	to	71150069/G7130CD002307805/406000	FedGrtProc

18E. BT2005-735 COMMUNITY AND HUMAN DEVELOPMENT

This budget transfer will provide the monies to establish the construction budget for this 30th Year (2004-2005) Community Development Boys and Girls Club park project that will provide ADA-compliant walkways and benches.

Decrease	\$50,863.00	from	71150069/G7129CD000107747/508027	Construction
Increase	\$ 500.00	to	71150069/G7130CD001707799/502302	Printing
Increase	\$ 100.00	to	71150069/G7130CD001707799/502304	Postage
Increase	\$ 3,936.00	to	71150069/G7130CD001707799/508021	City Eng
Increase	\$46,327.00	to	71150069/G7130CD001707799/508027	Construction
Decrease	\$50,863.00	from	71150069/G7129CD000107747/406000	FedGrProc
Increase	\$50,863.00	to	71150069/G7130CD001707799/406000	FedGrProc

18F. BT2005-737 COMMUNITY AND HUMAN DEVELOPMENT

This budget transfer will increase the existing project budget for this Community Development 30th Year (2004-2005) Community Development accessibility project to increase the number of curb cuts made throughout the City.

Decrease	\$200,000.00	from	71150069/G7129CD000107747/508027	Construction
Increase	\$ 10,000.00	to	71150069/G7129CD003807809/508021	City Eng
Increase	\$190,000.00	to	71150069/G7129CD003807809/508027	Construction
Decrease	\$200,000.00	from	71150069/G7129CD000107747/406000	FedGrProc
Increase	\$200,000.00	to	71150069/G7129CD003807809/409000	FedGrProc

18G. BT2005-738 COMMUNITY AND HUMAN DEVELOPMENT

This budget transfer will provide partial funding for this planning activity in which the final product will be a land use master plan designed to transform downtown El Paso into an area of commercial, social, cultural and residential vitality.

Decrease	\$50,000.00	from	71150047/G7130CD000210039/502215	OutsideCnt
Increase	\$50,000.00	to	71150069/G7129CD000107747/508027	Construction
Decrease	\$50,000.00	from	71150047/G7130CD000210039/406000	FedGrProc
Increase	\$50,000.00	to	71150069/G7129CD000107747/406000	FedGrProc

18H. BT2005-739 COMMUNITY AND HUMAN DEVELOPMENT

This budget transfer will provide partial funding for this planning activity in which the final product will be a land use master plan designed to transform downtown El Paso into an area of commercial, social, cultural and residential vitality.

Decrease	\$50,000.00	from	71150069/G7129CD000107747/508027	Construction
Increase	\$50,000.00	to	71150069/G7130CD003307813/502215	OutsideCnts
Decrease	\$50,000.00	from	71150069/G7129CD000107747/406000	Construction
Increase	\$50,000.00	to	71150069/G7130CD003307813/406000	Construction

18I. BT2005-740 COMMUNITY AND HUMAN DEVELOPMENT

This budget transfer will provide the monies to establish the project budget for this 30th Year (2004-2005) Community Development accessibility project to comply with ADA standards in applicable City parks.

Decrease	\$35,500.00	from	71150069/G7129CD000107747/508027	Construction
Increase	\$ 500.00	to	71150069/G7130CD003507815/502302	Printing
Increase	\$ 100.00	to	71150069/G7130CD003507815/502304	Postage
Increase	\$ 4,014.00	to	71150069/G7130CD003507815/508016	Arch & Eng
Increase	\$ 1,277.00	to	71150069/G7130CD003507815/508021	City Eng
Increase	\$29,609.00	to	71150069/G7130CD003507815/508027	Construction
Decrease	\$35,500.00	from	71150069/G7129CD000107747/406000	FedGrProc
Increase	\$35,500.00	to	71150069/G7130CD003507815/406000	FedGrProc

18J. BT2005-741 COMMUNITY AND HUMAN DEVELOPMENT

This budget transfer will provide the monies to establish the project budget for this 30th Year (2004-2005) Community Development traffic control project that will allow fire units to change traffic signals from red to green at nine intersections.

Decrease	\$59,868.00	from	71150069/G7129CD000107747/508027	Construction
Increase	\$ 500.00	to	71150069/G7130CD003607816/502302	Printing
Increase	\$ 100.00	to	71150069/G7130CD003607816/502304	Postage
Increase	\$ 2,001.00	to	71150069/G7130CD003607816/508016	Arch & Eng
Increase	\$ 5,237.00	to	71150069/G7130CD003607816/508021	City Eng
Increase	\$52,030.00	to	71150069/G7130CD003607816/508027	Construction
Decrease	\$59,868.00	from	71150069/G7129CD000107747/406000	FedGrProc
Increase	\$59,868.00	to	71150069/G7130CD003607816/406000	FedGrProc

18K. BT2005-742 COMMUNITY AND HUMAN DEVELOPMENT

This budget transfer will provide the monies to establish a project budget to purchase a fire truck for the Central Fire Station, a 30th Year (2004-2005) Community Development fire equipment project.

Decrease	\$396,699.00	from	71150069/G7129CD000107747/508027	Construction
Increase	\$396,699.00	to	71150069/G7130CD003707817/508029	HvyOffRdEq
Decrease	\$396,699.00	from	71150069/G7129CD000107747/406000	FedGrProc
Increase	\$396,699.00	to	71150069/G7130CD003707817/406000	FedGrProc

18L. BT2005-743 COMMUNITY AND HUMAN DEVELOPMENT

This budget transfer will provide the monies to establish a project budget for this 30th Year (2004-2005) Community Development project to purchase a fire truck for Fire Station 17 at 8803 Alameda.

Decrease	\$396,699.00	from	71150069/G7129CD000107747/508027	Construction
Increase	\$396,699.00	to	71150069/G7130CD003807818/508029	HvyOffRdEq
Decrease	\$396,699.00	from	71150069/G7129CD000107747/406000	FedGrProc
Increase	\$396,699.00	to	71150069/G7130CD003807818/406000	FedGrProc

18M. BT2005-744 COMMUNITY AND HUMAN DEVELOPMENT

This budget transfer will provide necessary monies to establish the project budget for this 30th Year (2004-2005) Community Development project to expand parking lot at Carolina Rec Center.

Decrease	\$69,841.00	from	71150069/G7129CD000107747/508027	Construction
Increase	\$ 5,331.00	to	71150069/G7130CD003907819/508016	Arch & Eng
Increase	\$ 5,332.00	to	71150069/G7130CD003907819/508021	City Eng
Increase	\$59,178.00	to	71150069/G7130CD003907819/508027	Construction
Decrease	\$69,841.00	from	71150069/G7129CD000107747/406000	FedGrProc
Increase	\$69,841.00	to	71150069/G7130CD003907819/406000	FedGrProc

18N. BT2005-745 COMMUNITY AND HUMAN DEVELOPMENT

This budget transfer will provide the monies to establish the project budget for this 30th Year (2004-2005) Community Development Hidden Valley park (200 Coconut St. Lane) project for an ADA accessible walk/jog path.

Decrease	\$50,449.00	from	71150069/G7129CD000107747/508027	Construction
Increase	\$ 5,715.00	to	71150069/G7130CD004007820/508016	Arch & Eng
Increase	\$ 5,533.00	to	71150069/G7130CD004007820/508021	City Eng
Increase	\$ 2,477.00	to	71150069/G7130CD004007820/502108	Eng Srv
Increase	\$ 500.00	to	71150069/G7130CD004007820/502302	Printing
Increase	\$ 100.00	to	71150069/G7130CD004007820/502304	Postage
Increase	\$36,124.00	to	71150069/G7130CD004007820/508027	Construction
Decrease	\$50,449.00	from	71150069/G7129CD000107747/406000	FedGrProc
Increase	\$50,449.00	to	71150069/G7130CD004007820/406000	FedGrProc

180. BT2005-746 COMMUNITY AND HUMAN DEVELOPMENT

This budget transfer will provide the monies to establish the project budget for this 30th Year (2004-2005) Community Development accessibility project. The project will provide voice messages traffic signals for visually-impaired pedestrians.

Decrease	\$425,000.00	from	71150069/G7129CD000107747/508027	Construction
Increase	\$192,000.00	to	71150069/G7130CD003407813/508016	Arch & Eng
Increase	\$ 21,250.00	to	71150069/G7130CD003407813/508021	City Eng
Increase	\$211,750.00	to	71150069/G7130CD003407813/508027	Construction
Decrease	\$425,000.00	from	71150069/G7129CD000107747/406000	FedGrProc
Increase	\$425,000.00	to	71150069/G7130CD003407813/406000	FedGrProc

19. APPLICATIONS FOR USE OF CITY PARKS/STREETS & SIDEWALKS:

Permission to use public streets, sidewalks or parks for special events does not constitute endorsement by the City of El Paso of the contents of any expression that takes place during these events.

- 19A.** Del Norte Lions Club to hold a 4th of July parade on July 4, 2005 from 9:00 a.m. to 10:30 a.m. Route: Start at Hanks High School on Lee Trevino and Montwood, proceed on Montwood to Yarbrough, turn right on Yarbrough to Album, turn left on Album and finish at Album Park. Approximately 900 persons, 70 vehicles, and 12 animals will take part. This request includes permission to use amplification (5 speakers, amps, and microphones). PERMIT NO. 05-012

[Gloria Diaz] **(District 5)**

NO OBJECTIONS FROM FIRE, SUN METRO, PARKS, AND TRAFFIC/ENGINEERING. THE EL PASO POLICE DEPARTMENT HAS NO OBJECTIONS WITH THIS EVENT. THE DEPARTMENT WILL POLICE THE EVENT WITH 22 OFFICERS AND 22 VEHICLES. ESTIMATED COST TO CITY: \$639.00; ESTIMATED COST TO APPLICANT: \$2,661.00. THE OFFICE OF BUILDING PERMITS & INSPECTIONS RECOMMENDS APPROVAL.

- 19B.** Sin Fronteras Organizing Project to block off Ninth Ave. between Mesa and Oregon on April 2, 2005 from 11:00 a.m. to 10:00 p.m. for a Cesar Chavez Celebration block party. Approximately 100 persons will take part. Barricades must be manned according to the State's "Manual of Uniform Traffic Control Devices." This request includes permission to use amplification (4 microphones and 2 speakers). PERMIT NO. 05-014 [Ignacio Ybarra] **(District 8)**

NO OBJECTIONS FROM FIRE, SUN METRO, AND TRAFFIC/ENGINEERING. THE EL PASO POLICE DEPARTMENT HAS NO OBJECTIONS WITH THIS EVENT. THE DEPARTMENT WILL MONITOR THE EVENT AS NECESSARY WITH THE DISTRICT CAR. THERE WILL BE NO COST TO CITY OR APPLICANT. THE OFFICE OF BUILDING PERMITS & INSPECTIONS RECOMMENDS APPROVAL.

- 19C.** Aliviane Inter-Resource Foundation for Children & Families to hold a march on March 31, 2005 from 11:30 a.m. to 1:00 p.m. Route: Start at 175 Midway to Alameda, turn right on Alameda and finish at Cesar Chavez Academy on 7814 Alameda. Approximately 75 persons will take part and 75 spectators are anticipated. PERMIT NO. 05-015 [Margarita Sanchez] **(District 7)**
NO OBJECTIONS FROM FIRE, SUN METRO, AND TRAFFIC/ENGINEERING. THE EL PASO POLICE DEPARTMENT HAS NO OBJECTIONS WITH THIS EVENT. THE DEPARTMENT WILL POLICE THE EVENT WITH 3 OFFICERS AND 3 VEHICLES. ESTIMATED COST TO CITY: \$187.50; ESTIMATED COST TO APPLICANT: \$37.50. THE OFFICE OF BUILDING PERMITS & INSPECTIONS RECOMMENDS APPROVAL.
- 19D.** St. Marks United Methodist Church to use amplification (12 speakers, 800-watt amplifier, and 7 microphones) at Thorn Park-5260 Mace St. on March 19, 2005 from 12:00 p.m. to 5:00 p.m. for an outreach event. Approximately 20 persons will take part and 100 spectators are anticipated. PERMIT NO. 05-016 [George Armas] **(District 1)**
NO OBJECTIONS FROM PARKS DEPARTMENT. THE EL PASO POLICE DEPARTMENT HAS NO OBJECTION WITH THIS EVENT. THE DEPARTMENT WILL MONITOR THE EVENT AS NECESSARY WITH THE DISTRICT CAR. THERE WILL BE NO COST TO CITY OR APPLICANT. THE OFFICE OF BUILDING PERMITS & INSPECTIONS RECOMMENDS APPROVAL.
- 19E.** City of El Paso, Parks Department to use amplification (7 microphones, 3 amplifiers, 8 speakers) at Carolina Skatepark on March 19, 2005 from 11:00 a.m. to 6:00 p.m. Approximately 200 persons will take part and 300 spectators are anticipated. PERMIT NO. 05-018 [Greg Walter] **(District 7)**
NO OBJECTIONS FROM PARKS DEPARTMENT. THE EL PASO POLICE DEPARTMENT HAS NO OBJECTION WITH THIS EVENT. THE DEPARTMENT WILL MONITOR THE EVENT AS NECESSARY WITH THE DISTRICT CAR. THERE WILL BE NO COST TO CITY OR APPLICANT. THE OFFICE OF BUILDING PERMITS & INSPECTIONS RECOMMENDS APPROVAL.
- 19F.** EP Fitness/Get Fit El Paso to hold a 1st Annual Mayor's walk on March 12, 2005 from 7:00 a.m. to 9:30 a.m. Route: Start at Lambka Park on 6600 Cloudview Dr., proceed on Cloudview Dr. to N. Resler Dr., turn right on Resler Dr. to Escondido Dr., turn right on Escondido Dr. to El Puente St., turn right on El Puente St. and finish at Lambka Park. Approximately 500+ persons will take part and 500 spectators are anticipated. This request includes permission to use amplification (1 p.a. system, 1 microphone, and 2 speakers will be used at the park area). PERMIT NO. 05-019 [Donna Smith] **(District 1)**
NO OBJECTIONS FROM FIRE, SUN METRO, PARKS DEPT., AND TRAFFIC/ENGINEERING. THE EL PASO POLICE DEPARTMENT HAS NO OBJECTIONS WITH THIS EVENT. THE DEPARTMENT WILL POLICE THE EVENT WITH 8 OFFICERS AND 8 VEHICLES. ESTIMATED COST TO CITY: \$319.50; ESTIMATED COST TO APPLICANT: \$280.50. THE OFFICE OF BUILDING PERMITS & INSPECTIONS RECOMMENDS APPROVAL.

REGULAR AGENDA

20. INTRODUCTION OF ORDINANCES PURSUANT TO SECTION 3.9 OF THE EL PASO CITY CHARTER:

- 20A.** An Ordinance amending Title 20 (Zoning) of the El Paso Municipal Code, by amending Section 20.04.520 (Administrative Provision; Notice-Method) to require that required signage be comprised of plywood, metal material, or other material approved by the Director of Planning. The penalty is as provided in Chapter

20.68 of the City of El Paso Municipal Code.

[Planning, Research and Development, Fred Lopez, (915) 541-4925]

- 20B.** An Ordinance providing for the issuance and sale of approximately \$51,500,000 City of El Paso, Texas, Water and Sewer Revenue Refunding Bonds, Series 2005-B; approving a purchase contract; approving an official statement; and enacting provisions related thereto. [PSB Bond Counsel, Paul A. Braden, (915) 544-9997]

PUBLIC HEARING WILL BE HELD ON MARCH 22, 2005 FOR ITEMS 20A - 20B

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances, no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

21. MAYOR AND COUNCIL:

- 21A.** Discussion and Action on BOAC recommendation to delete E.L. Williams (Lafayette) Park from the listing of priority projects as approved by Council on April 4, 2000 and that the programmed amount of \$193,000 be used for the purchase of property and construction of a parking lot for Travis White Park, and, that the City Manager be authorized to make the necessary budget adjustments. [Representative Vivian Rojas, (915) 541-4108]

- 21B.** Discussion and action to authorize the Mayor to enter into negotiations with the County of El Paso to develop a joint contingency plan to protect the citizens of El Paso from any harmful effects that may occur as the result of emissions of heavy metals and other contaminants from ASARCO, pending the ruling in the case styled ASARCO v. Texas Commission of Environmental Quality v. The City of El Paso, Cause No. GN 401709, in the 261st District Court of Travis County, Texas.

The ruling, whether adverse or favorable to the citizens of El Paso, will ultimately result in a lengthy appellate process, and in the event the ruling is adverse, such ruling, pending appeal/s could wrongfully deny the citizens of El Paso of the proper opportunity to fully demonstrate the magnitude of harm that would be caused by ASARCO's resumed operation.

The City and the County share equal responsibility in ensuring the rights of the citizens to be heard at the contested case hearing, as is evidenced by the continued operation of the El Paso City County Health unit that stands as a first line of health and safety protection for all citizens of El Paso.

[Representative Robert A. Cushing, Jr., (915) 541-4996 and Mayor Pro-Tem Anthony W. Cobos, (915) 541-4123]

- 21C.** Discussion and action on allowing certain exceptions to policy requiring City to hold first lien on rental rehabilitation projects under the HUD-funded HOME Investor-owned Properties program, including but not limited to an exception for the Desert Pines project on George Dieter Blvd., submitted by the San Antonio Alternative Housing Corporation. [Representative Paul J. Escobar, (915) 541-4182]

21D. Discussion and action to direct City Manager to instruct the City Engineering Department to commence the Hidden Valley Park Jogging Path Project [30th Year (2004-2005) CDBG Program (\$50,449)], an 8-ft wide, paved, ADA accessible walk/jog path; and to instruct staff to provide a timeline, within the next 30 days. [Representative Jose Alexandro Lozano, (915) 541-4515]

21E. Discussion and action to direct City Manager to instruct the City Engineering Department to commence the Carolina Recreation Center Parking Lot Expansion Project [30th Year (2004-2005) CDBG Program (\$69,841)] involving the expansion of the parking lot by an additional 38 parking spaces; and to instruct staff to provide a timeline, within the next 30 days.
[Representative Jose Alexandro Lozano, (915) 541-4515]

22. BUDGET TRANSFER: [Office of Management and Budget, David Almonte, (915) 541-4011]:

BT2005-736 COMMUNITY AND HUMAN DEVELOPMENT

This budget transfer will provide the monies to establish the construction budget for this 30th Year (2004-2005) Community Development Capistrano park improvement project.

Decrease	\$520,051.00	from	71150069/G7129CD000107747/508027	Construction
Increase	\$ 500.00	to	71150069/G7130CD001607798/502302	Printing
Increase	\$ 100.00	to	71150069/G7130CD001607798/502304	Postage
Increase	\$ 41,905.00	to	71150069/G7130CD001607798/508021	City Eng
Increase	\$ 10,000.00	to	71150069/G7130CD001607798/502108	Eng Srv
Increase	\$467,546.00	to	71150069/G7130CD001607798/508027	Construction
Decrease	\$520,051.00	from	71150069/G7129CD000107747/406000	FedGrtProc
Increase	\$520,051.00	to	71150069/G7130CD001607798/406000	FedGrtProc

23. PUBLIC HEARING – PARKS & RECREATION:

An ordinance authorizing the Mayor to sign a lease agreement between the City of El Paso and Sunset Heights Assets Reaching Everyone (“SHARE”) for the lease of a portion of the Armijo Community Center, located at 710 East Seventh Street, El Paso, El Paso County, Texas, for the purpose of operating a youth initiative center that facilitates youth's ability to succeed in personal growth, family unity and community strength for a term of two (2) years. **(District 8)** [Parks & Recreation, Norman Merrifield, (915) 541-4331]

24. PUBLIC HEARINGS – PLANNING, RESEARCH AND DEVELOPMENT:

24A. An Ordinance granting Special Permit No. ZON04-00144, to allow for a planned residential development on a portion of H. G. Foster Surveys No. 257, 258, and 262, El Paso, El Paso County, Texas pursuant to Section 20.12.040 (Zoning) of the El Paso Municipal Code. The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: EP Park Hills II, Ltd. **(District 1)**
[Planning, Research and Development, Fred Lopez, (915) 541-4925]

- 24B.** An Ordinance changing the zoning of a portion of Lot 1, Block 71, West Hills Unit 21, El Paso, El Paso County, Texas from C-1/sc (Commercial/special contract) to C-2/sc (Commercial/special contract) and imposing certain conditions. The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: River Oaks Properties, Ltd. ZON04-000150 **(District 1)**
[Planning, Research and Development, Fred Lopez, (915) 541-4925]
- 24C.** An Ordinance granting a Special Privilege permitting Mario Hernandez, Hector Cobos, Jr., Eber Martinez, Maria Cobos, Margarita Cobos, Juan Torres, Pedro Orona, Hector Cobos, Maria Prieto, Maria Grado, Jack Kellog, Jesus Hernandez, Eusebio Coronel, Victor Ochoa, Carmen Cox, Maria Chavez, Eunise Morales, Maria Barraza, Santiago Aguilar and Brandon Palma to encroach onto a portion of various public rights-of-way with a food-vending concession in the Downtown area. **(District 8)** *(Annual Fees: \$1,100.00 or \$880.00 per location, SP-05001)*
[Planning, Research and Development, Esther Guerrero, (915) 541-4720]

25. CITY MANAGER:

City Manager's report of current events and issues:
Business First Program Introduction

- 26.** The City Council of the City of El Paso may retire into EXECUTIVE SESSION pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss any of the following: (The items listed below are matters of the sort routinely discussed in Executive Session, but the City Council of the City of El Paso may move to Executive Session any of the items on this agenda, consistent with the terms of the Open Meetings Act.) The City Council will return to open session to take any final action and may also, at any time during the meeting, bring forward any of the following items for public discussion, as appropriate.

Section 551.071 CONSULTATION WITH ATTORNEY
Section 551.072 DELIBERATION REGARDING REAL PROPERTY
Section 551.073 DELIBERATION REGARDING PROSPECTIVE GIFTS
Section 551.074 PERSONNEL MATTERS
Section 551.076 DELIBERATION REGARDING SECURITY DEVICES
Section 551.087 DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

Discussion and action on the following:

- 26A.** Ranchos Real IV, Ltd., vs. The City of El Paso; Cause No. 2001-3371. (551.071)
[City Attorney's Office, Michele Little Locke, (915) 541-4550]
POSTPONED FROM 03/01/05 AND 02/22/05
- 26B.** *6415 Boeing L.P. vs. The El Paso Central Appraisal District and The City of El Paso*, Cause No. 2003-1691 in the 171st District Court
- 710, Inc. vs. The El Paso Central Appraisal District and The City of El Paso*, Cause No. 2003TX350 in the 171st District Court
- Airport Business Center vs. City of El Paso*, Cause No. 2003-1652 in the County Court at Law No. 5

Richard N. Azar and Jerry M. Coleman d/b/a Azar-Coleman Properties vs. City of El Paso, Cause No. 2002TX634 in the 168th District Court
(551.071 and 551.072)

[City Attorney's Office, James A. Martinez, (915) 541-4550]

- 26C.** Discussion and action to authorize the City Manager or her designee to negotiate with the responsible parties or their agents the City's claims for property and other damage that occurred at Cleveland Square and to the Main Library as a result of localized flooding arising from a water line break that occurred on or about December 5, 2004, in El Paso, Texas, and to authorize the City Manager or her designee to execute Settlement Agreements, Releases and other documents in connection with these claims. (551.071)
[City Attorney's Office, James A. Martinez, (915) 541-4550]
- 26D.** J.G.W. Foods Chapter 7, Case No. 03-32427. (551.071)
[City Attorney's Office, Michele Little Locke, (915) 541-4550]
- 26E.** Discussion and action on pending claim regarding Raba-Kistner (SW), Inc. (551.071) [City Attorney's Office, Michele Little Locke, (915) 541-4550]
- 26F.** Discussion and action regarding City of El Paso vs. Comfort Inn Suites (551.071)
[City Attorney's Office, Michele Little Locke, (915) 541-4550]

Sign Language interpreters are provided for regular City Council meetings. Copies of this Agenda will be provided in Braille, large print or audio tape upon requests made a minimum of 48 hours prior to the meeting.

Hearing Assistance Devices are available upon request.

ALL CITY COUNCIL AGENDAS ARE PLACED ON THE INTERNET EVERY FRIDAY AT THE ADDRESS BELOW:

<http://www.elpasotexas.gov>